

Worksheet

Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)

Note: This worksheet is to be completed consistent with the policies stated in the Instruction Memorandum entitled “Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy” transmitting this worksheet and the “Guidelines for Using the DNA Worksheet” located at the end of the worksheet. (Note: The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM’s internal analysis process and does not constitute an appealable decision.)

A. BLM Office: Eugene District, Upper Willamette Resource Area

Lease/Serial/Case File No.: n/a

Proposed Action Title/Type: Big River Aquatic Habitat Restoration

Location of Proposed Action:

Township 23 South, Range 3 West, Sections 3, 4, 10, 11, and 12

Description of the Proposed Action: This action proposes pulling trees from the riparian area into the main stem Big River to increase stream channel complexity, and to increase the productive capability for resident salmonids and other aquatic dependent organisms. Additional, the proposed action is anticipated to increase the stability of the channel in order to retain woody material and sedimentary materials within the channel.

Applicant (if any): None

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name*: *Eugene District Record of Decision and Resource Management Plan*

Date Approved: June 1995: as amended January 2001

Other document:** *Cottage Grove Lake – Big River Watershed Restoration Plan* (April, 2000), Environmental Assessment No. OR090-00-003 (April, 2000)

*List applicable LUP's (e.g., Resource Management Plans or applicable amendments).

**List applicable activity, project, management, water quality restoration, or program plans.

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

The Proposed Action is in conformance with the Eugene District's Record of Decision and Resource Management Plan (ROD/RMP). The plan sets goals for maintaining or enhancing the fisheries habitat potential of streams consistent with the SEIS/ROD, and the BLM's Fish and Wildlife Plan, and other nationwide direction (ROD/RMP p.44).

The plan identified Big River as a high priority system to implement habitat enhancement to increase natural populations of resident fish (ROD/TMP p. 46). The plan suggests possible rehabilitation measures such as in-stream structures using boulders and log placement to create spawning and rearing habitat, and, riparian rehabilitation to establish or release existing coniferous trees (ROD/TMP p.45) (FSEIS p.D69, D82)

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) and, if applicable, implementation plan decisions:

N/A. Refer to above paragraph.

C. Identify the applicable NEPA document(s) and other related documents that cover the Proposed Action.

Cottage Grove Lake–Big River Watershed Restoration Plan, Environmental Assessment No. OR090-00-003 (April, 2000). *Record of Decision for Amendments to the Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl* (April 1994), *Eugene District Record of Decision and Resource Management Plan* (June 1995), *Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old Growth Forest Related Species within the Range of the Northern Spotted Owl* (February 1994). *Final Supplemental Environmental Impact Statement – Clarification of Language in the 1994 Record of Decision for the Northwest Forest Plan* (October 2003).

NEPA Adequacy Criteria

1) Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

Yes. The Cottage Grove Lake-Big River Watershed Restoration Plan (EA No. ORO-00-003) includes the placement of large wood and other in-stream structures into selected streams to increase the complexity and productive capacity of the stream system. In-stream structures could include boulders, weirs and large logs.

In addition, the plan provides direction to conduct thinning within riparian areas, either commercially or non-commercially. Individual trees release was another action recommended

within the plan, where trees surrounding dominate trees would be cut and left on site as coarse woody debris or as in-stream structure.

2) Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?

Yes. The original Proposed Action and Alternative A are similar with regard to the current Proposed Action.

Both the Proposed Action and Alternative A indicate that individual project surveys, (cultural resource surveys, threatened and endangered species surveys, and Survey and Manage or Protection buffer species surveys), would be completed prior to project implementation. Individual projects would be modified, relocated or dropped entirely if necessary to comply with standards and guidelines for the protection of located species.

3) Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

No new circumstances or new information has occurred within this analysis unit that would warrant additional or new analysis of the Proposed Action. Threatened and Endangered species listing (ESA), BLM sensitive species lists, and watershed assessment plans have not change since the existing NEPA document, therefore the existing analysis is adequate.

The Proposed Action would occur during the dry period of the year in accordance with the ODFW In-stream Work Period Guidelines (June 2000), and would occur outside of any critical periods for T & E species.

4) Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes. There has been no change in the methodology or analytical approach used in the existing NEPA document, and is still current for this Proposed Action. Aquatic habitat inventory and assessment used in the existing document is similar to the methods used currently.

5) Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?

Yes. Direct and indirect effects of the current proposed action are addressed under impacts to ACS objectives (ACS objective 3, 4, 5, 6, 7, 8, and 9) in Section V (Environmental Consequence). They are substantially unchanged from those identified in the existing NEPA document. At the watershed scale, the impacts from this fish habitat enhancement project are essentially the same and would be beneficial in the long term of restoring the complexity of the aquatic environment by restoring large woody debris to high priority stream channels within the watershed.

6) Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current Proposed Action are substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. The current EA included impact analysis on thinning within riparian areas, commercial density management treatments (cut and leave), instream restoration work, and various other terrestrial and aquatic restoration projects. The current Proposed Action does not differ significantly from the treatments describe above. Direct and indirect impacts were address for each in a site-specific analysis of the effect of the Proposed Action and Alternative A on the attainment of the ACS objectives.

The existing EA document also incorporates the analysis of cumulative effects in the *USDA Forest Service and USDI Bureau of Land Management Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl*, February 1994 (Chapter 3 and 4), and the Eugene Proposed RMP/EIS, November 1994 (Chapter 4). These documents analyze most cumulative effects of habitat restoration and other related management activities. Neither the Proposed Action nor Alternative A in the existing EA, or the current Proposed Action would have cumulative effects on resources beyond those effects analyzed in the above documents.

7) Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?

Yes. The environmental assessment was available and advertised for public review and decision record document was also subject to a protest period. No comments or protests were received during these periods. Public meetings and field trips were also conducted during the planning period where the public was given the opportunity to review project similar to the ones being proposed in the restoration plan. Public concerns and comments were addressed over specific proposals during these public meetings. The fish habitat enhancement proposal (in-stream restoration) received limited concerns and no protests.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Chuck Vostal	Fisheries Biologist	Fisheries

F. Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

- 1) All work would be scheduled during the dry season of the year in accordance with guidelines used by the Oregon Department of Fish and Wildlife (ODFW).
- 2) When working next to or within the stream channel, spill prevention kits would be utilized.
- 3) All heavy equipment would be cleaned prior to contract work to slow the spread of noxious weeds. Staging areas would be located in areas free of noxious weeds.

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the existing NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

Note: If one or more of the criteria are not met, a conclusion of conformance and/or NEPA adequacy cannot be made and this box cannot be checked

Emily Rice
Signature of the Responsible Official

April 8, 2004
Date

Attachment 1-6

Guidelines for Using the DNA Worksheet and Evaluating the NEPA Adequacy Criteria

These guidelines supplement the policies contained in the Instruction Memorandum entitled “Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy.” During preparation of the worksheet, if you determine that one or more of the criteria are not met, you do not need to complete the worksheet. If one or more of these criteria are not met, you may reject the proposal, modify the proposal, or complete appropriate NEPA compliance (EA, EIS, Supplemental EIS, or CX if applicable) and plan amendments before proceeding with the proposed action.

Criterion 1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Explain whether and how the existing documents analyzed the proposed action (include page numbers). If there are differences between the actions included in existing documents and the Proposed Action, explain why they are not considered to be substantial.

Criterion 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values? Explain whether the alternatives to the current Proposed Action that were analyzed in the existing NEPA documents and associated records constitute appropriate alternatives with respect to the current Proposed Action, and if so, how. Identify how current issues and concerns were addressed within the range of alternatives in existing NEPA documents. If new alternatives are being raised by the public to address current issues and concerns, and you conclude they do not need to be analyzed, explain why.

Criterion 3. Is the existing analysis valid in light of any new information or circumstances? If new information or new circumstances, including the items listed below, are applicable, you need to demonstrate that they are irrelevant or insignificant as applied to the existing analysis of the proposed action. New information or circumstances could include the following:

A) New standards or goals for managing resources. Standards and goals include, but are not limited to, BLM’s land health standards and guidelines, recovery plans for listed species prepared by the Fish and Wildlife Service or National Marine Fisheries Service, requirements contained in agency habitat conservation strategies, a biological opinion, or a conference report related to Section 7 of the Endangered Species Act; Environmental Protection Agency water quality regulations for Total Maximum Daily Loads (TMDLs) (40 CFR 130); and the requirement to address disproportionate impacts on minority populations and low income communities (E.O. 12898).

B) Changes in resource conditions within the affected area where the existing NEPA analyses were conducted, for example, changes in habitat condition and trend; changes in the legal status of listed, proposed, candidate, and BLM-designated sensitive species; water quality, including any identified impaired water bodies under Section 303 of the Clean Water Act; air quality; vegetation condition and trend; soil stability; visual quality; cultural resource condition; wildlife population trend(s); etc.

C) Changes of resource-related plans, policies, or programs of State and local governments, Indian tribes, or other Federal agencies, such as, State- or Environmental Protection Agency-approved water quality restoration plans.

D) Designations established in the affected area since the existing NEPA analysis and documentation was prepared. Designations include, but are not limited to, designated wilderness, wilderness study areas, National Natural Landmarks, National Conservation Areas, National Monuments, National Register properties, Areas of Critical Environmental Concern, Research Natural Areas, areas designated under the source Water Protection Program of the State or the Environmental Protection Agency, and listing of critical habitats by the Fish and Wildlife Service.

E) Other changed legal requirements, such as changes in statutes, case law, or regulations.

Criterion 4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the proposed action? Explain how the methodologies and analytical approach used in the existing NEPA document(s) are current and sufficient for supporting approval of the Proposed Action. If valid new technologies and methodologies exist (e.g., air quality modeling), explain why it continues to be reasonable to rely on the method previously used.

Criterion 5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)? Does the existing NEPA document(s) analyze site-specific impacts related to the current proposed action? Review the impact analysis in the existing NEPA document(s). Explain how the direct and indirect impacts of the proposed action are analyzed in the existing NEPA documents, and would, or would not, differ from those identified in the existing NEPA document. Consider the effect new information or circumstances may have on the environmental impacts predicted in the existing NEPA document. Consider whether the documents sufficiently analyze site-specific impacts related to the current proposed action.

Criterion 6. Are the reasonably foreseeable cumulative impacts that would result from implementation of the proposed action substantially unchanged from those identified in the existing NEPA document(s)? Would the current Proposed Action, if implemented, change the cumulative impact analysis? Consider the impact analysis in existing NEPA document(s), the effects of relevant activities that have been implemented or projected since existing NEPA documents were completed, and the effects of the current proposed action.

Criterion 7. Is the public involvement and interagency review associated with existing NEPA document(s) adequately for the current proposed action? Explain how the nature of public involvement in previous NEPA documents remains in compliance with NEPA public involvement requirements in light of current conditions, information, issues, and controversies.